

## 1 UNITED STATES DISTRICT COURT

## 2 DISTRICT OF NEVADA

3 JOSEPH VENEGAS,

Case No. 3:21-cv-00437-ART-CSD

4 Plaintiff

ORDER

5 v.

6 SGT. STOKES, et al.,

7 Defendants

8  
9 **I. DISCUSSION**

10 On March 22, 2022, the Court issued a screening order permitting Plaintiff's Eighth  
 11 Amendment claim to proceed and referring this case to the Court's Inmate Early  
 12 Mediation Program. (ECF No. 9.) On April 12, 2022, the Attorney General's Office entered  
 13 a limited notice of appearance for purposes of settlement discussions. (ECF No. 10.) Two  
 14 days later, Plaintiff filed a motion for clarification, stating that he did not receive the notice  
 15 of appearance and seeking verification that he had "not missed receiving notifications  
 16 from this Court." (ECF No. 12.) The Court subsequently issued orders setting an Inmate  
 17 Early Mediation conference for June 21, 2022, and extending the deadlines for the ninety-  
 18 day stay and the ninety-day stay report to June 24, 2022. (ECF Nos. 13, 15.) These orders  
 19 were returned as undeliverable with notes that Plaintiff had been transferred from Ely  
 20 State Prison ("ESP") to High Desert State Prison ("HDSP"). (ECF Nos. 14, 16.) The notes  
 21 also stated that the orders had been forwarded to HDSP. (*Id.*)

22 The Court grants Plaintiff's motion for clarification. (ECF No. 12.) It appears that  
 23 Plaintiff did not receive the limited notice of appearance by the Attorney General's Office  
 24 because of his transfer from ESP to HDSP. Accordingly, the Court will send Plaintiff one-  
 25 time courtesy copies of the notice of appearance (ECF No. 10), the order setting the  
 26 Inmate Early Mediation Conference (ECF No. 13), and the order extending the deadlines  
 27 for the ninety-day stay and the ninety-day stay report (ECF No. 15).

28 As noted above, Plaintiff is no longer at ESP, the address listed with the Court.

1 Pursuant to Nevada Local Rule of Practice IA 3-1, a "pro se party must immediately file  
2 with the court written notification of any change of mailing address, email address,  
3 telephone number, or facsimile number. The notification must include proof of service on  
4 each opposing party or the party's attorney. Failure to comply with this rule may result in  
5 the dismissal of the action, entry of default judgment, or other sanctions as deemed  
6 appropriate by the court." Nev. Loc. R. IA 3-1. This Court grants Plaintiff thirty (30) days  
7 from the date of entry of this order to file his updated address with this Court. If Plaintiff  
8 does not update the Court with his current address within thirty (30) days from the date  
9 of entry of this order, this case will be subject to dismissal without prejudice.

10 **II. CONCLUSION**

11 For the foregoing reasons, IT IS ORDERED that Plaintiff's motion for clarification  
12 (ECF No. 12) is granted.

13 IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff at  
14 HDSP courtesy copies of the limited notice of appearance by the Attorney General's  
15 Office (ECF No. 10), the order setting the Inmate Early Mediation Conference (ECF No.  
16 13), and the order extending the deadlines for the ninety-day stay and the ninety-day stay  
17 report (ECF No. 15). The Clerk of the Court shall also send to Plaintiff at HDSP a courtesy  
18 copy of this order.

19 IT IS FURTHER ORDERED that Plaintiff shall file his updated address with the  
20 Court within thirty (30) days from the date of this order.

21 IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order,  
22 this case will be subject to dismissal without prejudice.

23 DATED THIS 11th day of May 2022.

24   
25 UNITED STATES MAGISTRATE JUDGE

26

27

28